

The Honorable Karen L. Strombom

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHANNON LEE SOBASKI,

Defendant.

NO. MJ15-5151

COMPLAINT FOR VIOLATION

18 U.S.C. § 2252(a)(2).

BEFORE the Honorable Karen L. Strombom, United States Magistrate Judge, U. S.
Courthouse, Tacoma, Washington.

COUNT 1
(Attempted Receipt of Child Pornography)

On a date unknown, but no later than August 26, 2015, at Carson, within the
Western District of Washington, and elsewhere, SHANNON LEE SOBASKI did
knowingly attempt to receive, visual depictions the production of which involved the use
of minors engaging in sexually explicit conduct, and the visual depictions were of such
conduct, using any means and facility of interstate and foreign commerce and which
images had been mailed and shipped and transported in and affecting interstate and
foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

1 And the complainant states that this Complaint is based on the following
2 information:

3 I, Daniel Brewer, having been duly sworn, state as follows:
4

5 I. INTRODUCTION

6 1. I have been employed as a Special Agent of the Federal Bureau of
7 Investigation (FBI) since June 2015, and am currently assigned to the Seattle Division,
8 Tacoma Resident Agency. While employed by the FBI, I have investigated federal
9 criminal violations related to high technology or cyber crime, child exploitation, and
10 child pornography. I have gained experience through on the job training from the Violent
11 Crimes Against Children Task Force, Tacoma Washington and everyday work relating to
12 conducting these types of investigations. I have received training in the area of child
13 pornography and child exploitation and have had the opportunity to observe and review
14 numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of
15 media including computer media. I have participated in search and arrest warrants as
16 they relate to subjects involved in child pornography and child exploitation. Moreover, I
17 am a federal law enforcement officer who is engaged in enforcing the criminal laws,
18 including 18 U.S.C. §§ 2251 and 2252, and I am authorized by the Attorney General to
19 request a search warrant.

20 2. The facts set forth in this Complaint are based on the following: my own
21 personal knowledge; knowledge obtained from other individuals during my participation
22 in this investigation, including other law enforcement officers; interviews of witnesses;
23 my review of records related to this investigation; communications with others who have
24 knowledge of the events and circumstances described herein; and information gained
25 through my training and experience. Because this affidavit is submitted for the limited
26 purpose of establishing probable cause in support of a Complaint, it does not set forth
27 each and every fact that I or others have learned during the course of this investigation.
28

II. SUMMARY OF INVESTIGATION

3. “Website A” operated on a network (“the Network”¹) available to Internet users who are aware of its existence. The Network is designed specifically to facilitate anonymous communication over the Internet. In order to access the Network, a user must install computer software that is publicly available, either by downloading software to the user’s existing web browser, downloading free software available from the Network’s administrators, or downloading a publicly-available third-party application. Using the Network prevents someone attempting to monitor an Internet connection from learning what sites a user visits and prevents the sites the user visits from learning the user’s physical location. Because of the way the Network routes communication through other computers, traditional IP identification techniques are not viable.

4. Websites that are accessible only to users within the Network can be set up within the Network and “Website A” was one such website. Website A” was a child pornography bulletin board and website dedicated to the advertisement and distribution of child pornography and the discussion of matters pertinent to the sexual abuse of children, including the safety and security of individuals who seek to sexually exploit children online. Accordingly, “Website A” could not generally be accessed through the traditional Internet. Only a user who had installed the appropriate software on the user’s computer could access “Website A.” Even after connecting to the Network, however, a user had to know the exact web address of “Website A” in order to access it. Websites on the Network are not indexed in the same way as websites on the traditional Internet. Accordingly, unlike on the traditional Internet, a user could not simply perform a Google search for the name of “Website A,” obtain the web address for “Website A,” and click

¹ The actual name of the Network is known to law enforcement. The network remains active and disclosure of the name of the network would potentially alert its members to the fact that law enforcement action is being taken against the network, potentially provoking members to notify other members of law enforcement action, flee, and/or destroy evidence. Website A is not the true name of the website, and “User 1” is not the true user name of the user in this investigation. For purposes of the confidentiality and integrity of the ongoing investigation involved in this matter, specific names and other identifying factors have been replaced with generic terms including the Network, Website A, and User 1.

1 on a link to navigate to "Website A." Rather, a user had to have obtained the web
2 address for "Website A" directly from another source, such as other users of "Website
3 A," or from online postings describing both the sort of content available on "Website A"
4 and its location. Accessing "Website A" therefore required numerous affirmative steps
5 by the user, making it extremely unlikely that any user could have simply stumbled upon
6 "Website A" without first understanding its content and knowing that its primary purpose
7 was to advertise and distribute child pornography.

8 5. The Network's software protects users' privacy online by bouncing their
9 communications around a distributed network of relay computers run by volunteers all
10 around the world, thereby masking the user's actual IP address which could otherwise be
11 used to identify a user.

12 6. The Network also makes it possible for users to hide their locations while
13 offering various kinds of services, such as web publishing, forum/website hosting, or an
14 instant messaging server. Within the Network itself, entire websites can be set up which
15 operate the same as regular public websites with one critical exception - the IP address
16 for the web server is hidden and instead is replaced with a Network-based web address.
17 A user can only reach such sites if the user is using the Network client and operating in
18 the Network. Because neither a user nor law enforcement can identify the actual IP
19 address of the web server, it is not possible to determine through public lookups where
20 the computer that hosts the website is located. Accordingly, it is not possible to obtain
21 data detailing the activities of the users from the website server through public lookups.

22 "User 1" on "Website A"

23 7. According to data obtained from logs on "Website A," and law
24 enforcement investigation, a user with the user name "User 1" engaged in the following
25 activity on "Website A."

26 8. The profile page of user "User 1" indicated this user originally registered an
27 account on "Website A" on October 10, 2014. Profile information on "Website A" may
28 include contact information and other information that is supplied by the user. It also

1 contains information about that user's participation on the site, including statistical
2 information about the user's posts to the site and a categorization of those posts.
3 According to the user "User 1" profile, this user was a Newbie Member of "Website A."
4 Further, according to the Statistics section of this user's profile, the user "User 1" had
5 been actively logged into the website for a total of 9.95 hours between the dates of
6 October 10, 2014, and February 24, 2015. "User 1" viewed 33 different threads on
7 "Website A" including threads with the titles, "Amateur 3Some-young girl takes first
8 time anal", "A little girl shows her pussy", "eternal nymphets jailbait mix (babyfaces,
9 little tits, & little hairy pussies", "2000+ underage selfies (New ones added)", and "Nice
10 10yo strip" Most of the threads viewed by "User 1" included links to view files and
11 comments regarding child pornography.

12 IP Address and Identification of User "User 1" on "Website A"

13 9. On February 24, 2015, the user "User 1" engaged in the following activity
14 on "Website A" from IP address 24.143.78.114. During the session described below, this
15 user browsed "Website A" after logging into "Website A" with a username and a
16 password.

17 10. On February 24, 2015, the user "User 1" with IP address 24.143.78.114
18 accessed the post entitled ""mov01138". Among other things, this post contained three
19 links to unknown images. Several users commented on the links. One user commented in
20 part "Very hot clip..." Several other users made similar comments. Some other users
21 expressed frustration at being unable to download the images. One user commented on
22 the problems with downloading by writing, "CP files live longer on Asian file hosts!"

23 11. During the following additional sessions, the user "User 1" also browsed
24 "Website A" after logging into "Website A" with a username and password. During
25 these sessions, the user's IP address information was not collected.

26 12. On February 24, 2015, the user "User 1" accessed a post that contained a
27 link to 34 images. Special Agent Benjamin Long reviewed the images. SA Long has
28 been employed as a Special Agent of the FBI since 2012, and is currently assigned to the

1 Vancouver, Washington Resident Agency of the Seattle, Washington Division. While
2 employed by the FBI, he has investigated federal criminal violations related to high
3 technology or cyber crime, child exploitation, and child pornography. He has received
4 training in the area of child pornography and child exploitation, and have had the
5 opportunity to observe and review numerous examples of child pornography (as defined
6 in 18 U.S.C. § 2256) in all forms of media including computer media.

7 13. SA Long described two of those images below:

8 a. One image depicted a juvenile Asian female approximately 8 to 11 years
9 old, based upon the overall body size and facial features. The juvenile female is
10 performing oral sex on the penis of an adult male. The picture is taken from the
11 perspective of the adult male.

12 b. A second image depicted a juvenile Asian female approximately 8 to 11
13 years old, based upon the lack of hip development, lack of breast development,
14 lack of pubic hair, overall body size and facial features. The juvenile female is
15 wearing white mesh fingerless gloves and white lace thigh high stockings. The
16 female is kneeling next to an adult male and engaged in oral sex on the penis of
17 the adult male.

18 14. On February 24, 2015, the user "User 1" accessed a post that contained a
19 link to nine images, which were viewed by SA Long, and three of which are described
20 below by SA Long:

21 a. The first image is of a juvenile female approximately 8 – 13 years old,
22 based upon the lack of hip development and overall body size. The
23 picture focuses on the genital area of the juvenile female and depicts an
24 adult male engage in vaginal sex with the juvenile female.

25 b. The second image is of the same juvenile female as well as an additional
26 juvenile female who is approximately 11 to 13 years old, based upon the
27 lack of hip development, minimal breast development, and overall body
28 size. The picture depicts an adult male engaged in vaginal sex with the

1 younger juvenile female while the older juvenile female holds the adult
2 male's scrotum.

3 c. The third image is of the same two juvenile females and depicts the
4 adult male engaged in vaginal sex with the younger juvenile female
5 while the older juvenile female touches the adult male's scrotum.

6 15. Using publicly available websites, FBI Special Agents were able to
7 determine that the above IP Address on February 24, 2015, at 2:23 UTC was operated by
8 the Internet Service Provider ("ISP") Wave.

9 16. In March 2015, an administrative subpoena/summons was served to Wave
10 requesting information related to the user who was assigned to the above IP address.
11 According to the information received from Wave, SHANNON LEE SOBASKI was
12 receiving Internet service at 1022 Wind River Highway #8, Carson, WA 98610 with an
13 installation date of September 9, 2009. Internet service was current as of February 24,
14 2015, at the aforementioned premises.

15 17. Among the information collected by law enforcement from Website A
16 regarding the user "User 1" was the host Computer Name "Shannon-PC-G" and Logon
17 Name "Shannon" which matches the first name of SHANNON LEE SOBASKI.

18 18. A search of Clear Thomson Reuters and Accurint information databases
19 (public records databases that provides names, dates of birth, addresses, associates,
20 telephone numbers, email addresses, etc.) was conducted for SHANNON LEE
21 SOBASKI. These public records indicated that SHANNON LEE SOBASKI'S current
22 address is physical address is 1022 Wind River Hwy, Carson, WA 98610. SHANNON
23 LEE SOBASKI was also associated with the mail box address P.O. Box 319, North
24 Bonneville, WA 98639, which is the same as the billing address for SHANNON LEE
25 SOBASKI provided by the ISP Wave.

26 19. A National Crime Information Center (NCIC) search showed Shannon Lee
27 Sobaski was convicted of Rape of a Child 3rd degree and Rape of a Child 1st degree on
28 March 25, 1999. The police reports for these charges detail that SHANNON LEE

1 SOBASKI had sexual intercourse on numerous occasions with an 11 year old female, and
2 once with a fourteen year old female.

3 20. The Skamania County Sheriff's Office (SCSO) provided a copy of local
4 contact information for SHANNON LEE SOBASKI which showed he is a Registered
5 Sex Offender (RSO) in their county. SHANNON LEE SOBASKI's last RSO registration
6 date was June 15, 2015, with a reported address of 1022 Wind River Highway #9,
7 Carson, WA 98610. SHANNON LEE SOBASKI works at a local Internet Service
8 Provider called Saw-Tooth Technologies.

9 21. The Wave ISP subpoena return listed the Internet service address of 1022
10 Wind River Highway, #8, Carson, WA 98610 with service in SHANNON LEE
11 SOBASKI's name. However SHANNON LEE SOBASKI lives in space #9 rather than
12 space #8. The space numberings in the trailer park are unclear. The spaces are marked
13 with white posts with numbers at the top of the posts. There is no post indicating space
14 #9. A few feet from the space #8 post is another post indicating space #7, but with no
15 trailer associated with it.

16 22. On August 26, 2015, SA Long obtained a search warrant from Magistrate
17 Judge David Christel, for the trailer at space #9, where SHANNON LEE SOBASKI
18 resides. On August 27, 2015, FBI agents executed the search warrant.

19 23. SA Long interviewed SHANNON LEE SOBASKI on August 26, 2015.
20 SHANNON LEE SOBASKI stated that he used the Network to view and download
21 pornography. He stated the Network had many websites for child pornography. He
22 would download whole files of pornography which would contain child pornography in
23 the download. He stated his sexual preference was for petite 5 foot tall 100-115lbs girls
24 approximately 16 years old with the school girl look. SHANNON LEE SOBASKI stated
25 that approximately 10 to 18 per cent of his pornography collection was child pornography.
26 When talking about images of underage females, he said that he viewed the images one
27 or two times a week and often masturbated to the images. He estimated that when
28 searching for what he described as images of "Jailbait" he believed approximately 30%

1 of the images were child pornography. SHANNON LEE SOBASKI stated there is child
2 pornography on the Network so being on the Network means you will be exposed to
3 child pornography. He stated he had been looking at child pornography for only one year
4 but never traded or swapped. He stated that forums are frequently used on the Network
5 and he would download pornographic images posted on the forums. He stated that images
6 would be found on his desktop in an approximately 500 GB partition labeled "torrents".

7 24. FBI agents located a desktop computer in the trailer, and conducted an on-
8 site preview. Forensic Examiner Cory Pritchard, a forensic computer examiner, reviewed
9 the desktop computer and the partition "torrents" where SHANNON LEE SOBASKI
10 stated that the images of child pornography would be found. FE Pritchard has the
11 following training and experience: Cory J. Pritchard is a FBI CART (Computer Analysis
12 Response Team) certified forensic examiner that is also GFCE (GIAC Certified Forensic
13 Examiner) and GFCA (GIAC Certified Forensic Analyst) . Cory J. Pritchard is certified
14 to forensically examine Windows, Unix/Linux platforms as well as Cell Phone/PDA/GPS
15 Devices. Cory J. Pritchard is recognized as an expert witness in the field of Digital
16 Forensics in the States of Washington and New York and has testified as an expert
17 witness in for Federal Court and Military Court Martial.

18 25. FE Pritchard observed that there were tens of thousands of pornographic
19 images stored on the partition. He observed approximately 5,000 of those images and
20 made the following observations: the majority of the pornographic images were of nude
21 females that appear to be in their teens. While some of the females in the images
22 appeared to be young teenagers, it was not possible to determine conclusively that they
23 were minors based on the on-site preview.

24 26. The equipment that connects a computer to a network is commonly referred
25 to as a network adapter. Most network adapters have a Media Access Control ("MAC")
26 address assigned by the manufacturer of the adapter that is designed to be a unique
27 identifying number. A unique MAC address allows for proper routing of
28 communications on a network. Because the MAC address does not change and is

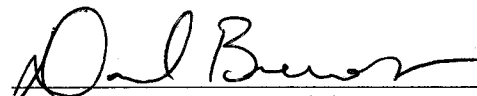
1 intended to be unique, a MAC address can allow law enforcement to identify whether
2 communications sent or received at different times are associated with the same adapter.
3 The MAC address "001D7D09C9FD" on a computer found in SHANNON LEE
4 SOBASKI's trailer matched the MAC address identified as the computer associated with
5 User 1's activities described above on Website A.

6 27. In the interview with SHANNON LEE SOBASKI, he stated that he would
7 often babysit a little girl who was currently four years old. He considered her to be his
8 "daughter". He looked after her most weekends. He explained a couple weeks ago
9 while bathing her and dressing her for bed he lay down in the bed with her until she fell
10 asleep. At that point, he started thinking about the fact that she was closer to appearance
11 to the images he was looking at online. That was the first time it crossed his mind that he
12 could touch her inappropriately. SHANNON LEE SOBASKI commented, "the potential
13 was there that I could touch her." He had thoughts of touching her inappropriately, but
14 had decided not to, and had felt guilty about it the next day.

15 28. Based on the above described facts, I respectfully submit that there is
16 probable cause to believe that SHANNON LEE SOBASKI knowingly downloaded and
17 attempted to download child pornography from the internet. The internet is a means and
18 facility of interstate commerce.

19 **CONCLUSION**

20 29. Based on the above facts, I respectfully submit that there is probable cause
21 to believe that SHANNON LEE SOBASKI did knowingly and unlawfully attempt to
22 receive child pornography, in violation of Title 18, United States Code, Section
23 2252(a)(2) and (b)(1).

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25 
26 Daniel Brewer, Complainant
27 Special Agent, FBI
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1 Based on the Complaint and Affidavit sworn to before me, and subscribed in my
2 presence, the Court hereby finds that there is probable cause to believe the Defendant
3 committed the offense set forth in the Complaint.

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5 Dated this 28th day of August, 2015.

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9 KAREN STROMBOM

10 United States Magistrate Judge
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